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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,329	10/31/2000	Dave Parker	005220.P002	3235

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EXAMINER
ALAM, UZMA

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 09/21/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/703,329	PARKER ET AL.	
	Examiner	Art Unit	
	Uzma Alam	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-37 and 42-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-37 and 42-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 October 2000* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the amendment file June 27, 2005. Claims 1-7, 9-37 and 42-45 are pending. Claims 1-7, 9-37 and 42-45 represent a method for monitoring events on a system.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-7, 9-18, 20-24, 30-37, 42, 43 and 45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. As per claims 1, 7, 20, 30 and 34, it is unclear how the monitoring operations center is connected to and communicates with either the satellite system and the host system.

4. As per claim 34, it is also unclear how the plurality of communication devices are connected to the rest of the system.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-, 7, 9-37 and 42-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Carleton et al. US Patent Publication No. 2001/0044840.

Carleton teaches the invention as claimed including a method and apparatus for connecting to a host system and generating notifications (see abstract).

As per claim 1, Carleton teaches a method, comprising:

accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system (a system is monitored by logging on to ports of certain system elements; paragraph 0054, 0062-0070);

generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (the business rules define normal functions and notification rules, if a function is not being performed as expected, a notification is sent; paragraph 0053); and

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (notifications are escalated, as defined by the business rules; paragraph 0009, 0053, 0054, 0079).

As per claim 2, Carleton teaches the method of claim 1, further comprising determining whether the notification is successful (each notification as an acknowledgement flag; paragraph 0053, 0079).

As per claim 3, Carleton teaches the method of claim 1, wherein the predetermined event is receipt of a state change of the parameter (the monitoring system checks for state changes of system elements; paragraph 0054).

As per claim 4, Carleton teaches the method of claim 1, wherein the predetermined event is exceeding a threshold value set for the parameter (paragraph 0053).

As per claim 5, Carleton teaches the method of claim 1, further comprising generating the notification a number of times for an amount of time (paragraph 0053).

As per claim 6, Carleton teaches the method of claim 5, wherein the number of times, the amount of time, and the time period are configurable (the business rules, which set notification rules can be configured by a user; paragraph 0051 ,0062-0070, 0079).

As per claim 7, Carleton teaches a method comprising:

monitoring a host system for a parameter corresponding to a predetermined event (paragraph 0054, 0062-0070);

generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053); and

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period wherein the parameter is monitored using a satellite system located locally to the host system and wherein the

notification is generated remotely from the host system (paragraph 0009, 0053, 0054, 0079).

As per claim 9, Carleton teaches the method of claim 1, further comprising providing a possible cause of the predetermined event occurrence (paragraph 0081)

As per claim 10, Carleton teaches the method of claim 1, where escalation is based on a set of rules (paragraph 0054, 0062-0070, 0079).

As per claim 11, Carleton teaches the method of claim 10, wherein the set of rules is based on a time delay between the notification and the acknowledgement (paragraph 0054, 0079).

As per claim 12, Carleton teaches the method of claim 10, wherein the set of rules is based on the state change (paragraph 0053, 0079).

As per claim 13, Carleton teaches the method of claim 10, wherein the set of rules is based on schedules of the first and second persons (paragraph 0053, 0062-0070).

As per claim 14, Carleton teaches the method of claim 1, wherein the notification is generated and escalated automatically (paragraph 0053).

As per claim 15, Carleton teaches method, comprising:

monitoring a host system for a parameter corresponding to a predetermined event (paragraph 0054, 0062-0070);

generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in the hierarchy (paragraph 0053);

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (paragraph 0009, 0053, 0054, 0079); and

generating, by the monitoring operations center, a trouble ticket at a predetermined point in the hierarchy to track the escalation (paragraph 0079, 0080, 0085).

As per claim 16, Carleton teaches the method of claim 1, wherein the parameter is a service of the host system (paragraph 0054, 0084).

As per claim 17, Carleton teaches the method of claim 1, wherein the parameter is a utilization of a component of the host system (paragraph 0084).

As per claim 18, Carleton teaches the method of claim 17, further comprising:

monitoring additional parameters of the host system, wherein the additional parameters include a service of the host system (paragraph 0084); and

eliminating a redundant notification based on dependent parameters of the host system; paragraph 0080).

As per claim 19, Carleton teaches a method comprising:

monitoring a host system for a parameter corresponding to a predetermined event (paragraph 0054, 0062-0070);

generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053);

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (paragraph 0009, 0053, 0054, 0079); and

determining an asset parameter of the host system (paragraph 0054, 0084).

As per claim 20, Carleton teaches a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

Receiving an occurrence of a predetermined event related to a host system, the occurrence of the predetermined event determined by access of a port of the host system by a satellite system (paragraph 0054, 0062-0070);

Generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053) and

Escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (paragraph

0009, 0053, 0054, 0079).

As per claim 21, Carleton teaches the machine readable medium of claim 20, wherein the predetermined event is receipt of a state change of the parameter (paragraph 0053, 0079).

As per claim 22, Carleton teaches the machine readable medium of claim 20, wherein the processor further performs generating the notification a number of times for an amount of time (paragraph 0053).

As per claim 23, Carleton teaches the machine readable medium of claim 20, wherein the number of times, the amount of time, and the time period are configurable (paragraph 0051, 0062-0070, 0079).

As per claim 24, Carleton teaches the machine readable medium of claim 20, wherein the processor further performs providing a suggestion as to a cause of the predetermined event occurrence (paragraph 0081).

As per claim 25, Carleton teaches a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

monitoring a host system for a parameter corresponding to a predetermined event (paragraph 0054, 0062-0070);

generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053);

and escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period, wherein the processor further performs generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (paragraph 0009, 0053, 0054, 0079).

As per claim 26, Carleton teaches an apparatus, comprising:

means for monitoring a host system for a parameter corresponding to a predetermined event; (paragraph 0054, 0062-0070);means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053); and

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (paragraph 0009, 0053, 0054, 0079).

As per claim 27, Carleton teaches the apparatus of claim 26, further comprises means for determining whether the notification is successful (paragraph 0053, 0079).

As per claim 28, Carleton teaches the apparatus of claims 26, further comprising:

means for generating the notification a number of times for an amount of time (paragraph 0053).

As per claim 29, Carleton teaches an apparatus comprising:

Means for monitoring a host system for a parameter corresponding to a predetermined event; (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (paragraph 0053);

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (paragraph 0009, 0053, 0054, 0079); and

means for generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (paragraph 0079, 0080, 0085).

As per claim 30, Carleton teaches an apparatus, comprising:

A configuration portal to interface with satellite system and configure an event for a parameter of a host system (paragraph 0054, 0062-0070);a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event and generate a first notification (paragraph 0053);

and a notification gateway coupled to the digital processing system to transmit the first notification to a first communication device, the digital processing system to generate a second

notification to a second communication device if an acknowledgment is not received within a predetermined time (paragraph 0009, 0053, 0054, 0079).

As per claim 31, Carleton teaches the apparatus of claim 30, wherein the notification gateway transmits the second notification to the second communication device (paragraph 0049, 0050).

As per claim 32, Carleton teaches the apparatus of claim 30, wherein the digital processing system comprises a server (paragraph 0049, 0050).

As per claim 33, Carleton teaches the apparatus of claim 30, further comprising a proxy server coupled to the digital processing system (paragraph 0049, 0050).

As per claim 34, Carleton teaches a system, comprising:

a host satellite system coupled to a first network (paragraph 0054, 0062-0070);a plurality of communication devices (paragraph 0054, 0062-0070); and

a monitoring operations center coupled to the first network, the monitoring operations center comprising:

a configuration portal to interface with a satellite system and configure an event for a parameter of a host system (paragraph 0054, 0062-0070);

a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event on the first network and generate a first notification (paragraph 0053); and

a notification gateway coupled to the digital processing system to transmit the first notification to one of the plurality of communication devices, the digital processing system to generate a second notification to another of the plurality of communication devices if an acknowledgment is not received within a predetermined time (paragraph 0009, 0053, 0054, 0079).

As per claim 35, Carleton teaches the system of claim 34, wherein the first notification is transmitted on the first network (paragraph 0049, 0050).

As per claim 36, Carleton teaches the system of claim 34, further comprising a second network and wherein the first notification is transmitted on the second network (paragraph 0049, 0050).

As per claim 37, Carleton teaches the system of claim 35, wherein the first network is an internet protocol network and the second network is a telephone network (paragraph 0049, 0050).

As per claims 42 and 45, Fox teaches the method of claims 1 and 20, wherein generating further comprises transmitting the occurrence of the predetermined event from the satellite system to the monitoring operation center (paragraph 0009).

As per claims 43 and 44, Fox teaches the method of claims 7 and 15, wherein the parameter of the host system is monitored by a satellite system, and wherein generating the notification further comprises transmitting the occurrence of the predetermined event from the satellite system to the monitoring operations center (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly and sends notifications to personnel (SCT); paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 7, lines 1-8, paragraph 8, paragraph 9).

Response to Arguments

Applicant's arguments with respect to claims 1-7, 9-37, and 42-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 9 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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September 12, 2005

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